

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ANGEL ROGERS, et al.,
Plaintiffs,
v.
COUNTY OF KERN,
Defendant.

Case No. 1:23-cv-01182-KES-SAB
ORDER GRANTING STIPULATED
MOTION TO MODIFY THE SCHEDULING
ORDER
(ECF No. 26)

On December 5, 2023, a scheduling order issued setting the following deadlines: non-expert discovery: May 30, 2024; expert disclosure: June 13, 2024; supplemental expert disclosure: July 11, 2024; expert discovery: August 08, 2024; and dispositive motion deadline: October 24, 2024.¹ (ECF No. 15.) On January 30, 2024, the parties filed a timely stipulation agreeing to allow Plaintiff leave to file a first amended complaint to name additional individual defendants. (ECF No. 16.) Finding good cause, the Court granted the parties motion on January 31, 2024. (ECF No. 17.) On February 3, 2024, Plaintiffs filed a first amended complaint naming five additional defendants. (ECF No. 18.) On March 18, 2024, the newly added Defendants filed their answer. (ECF No. 25.)

¹ Due to no District Judge being assigned to the case at the time of the scheduling conference, no pretrial conference date nor trial date was set, despite the parties' proposed May 14, 2025 pretrial conference date and July 9, 2025 trial date. (ECF Nos. 12, 15.) The Court shall set dates in the instant order in accordance with the recently assigned District Judge's availability.

On March 20, 2024, the parties filed the instant stipulated motion to modify the scheduling order to allow counsel additional time to conduct discovery, given the additional five Defendants being added to the case. (ECF No. 26 at 3.) The parties also proffer that outside counsel will be appearing in the case shortly to provide a defense to Defendant Mark Giesbrecht, M.D., regarding any liability as a result of his role as a mental health provider in this matter and additional time will be needed for such counsel to become familiar with the case. (*Id.*) The parties contend they will be substantially prejudiced if the instant request is not granted, given the current scheduling order allows approximately sixty days to complete all forms of fact and expert discovery necessary for their claims and defenses, as well as having all motions heard on any discovery disputes should any arise. (*Id.*) The parties therefore request an approximate eight month extension on all deadlines.² The Court finds good cause to grant the parties' stipulated motion.

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² The Court notes the parties request that the Court set various deadlines outside this Court's standard scheduling order. Should the parties require a "mid discovery status conference" or a "dispositive motion hearing deadline," the parties may request such conferences or hearings within the proper timeframes with a showing of good cause. The Court shall grant or deny the parties' request at its discretion and absent a showing of good cause by the parties. See also L.R. 230(g). As to the parties' proffered non-dispositive motion hearing and filing deadlines in April and May 2025, the parties are reminded that "[a]bsent good cause, discovery motions *will not be heard after the discovery deadlines*. Moreover, absent good cause, the Court will only grant relief on a discovery motion if the relief requested requires the parties to act *before the expiration of the relevant discovery deadline*." (ECF No. 15 at 3 (emphasis added).)

Accordingly, pursuant to the stipulation of the parties and good cause appearing, IT IS
HEREBY ORDERED that:

1. The parties' stipulated motion to modify the schedule (ECF No. 26) is
GRANTED. The scheduling order is thus further modified as follows:
 - a. Nonexpert Discovery Deadline: **January 30, 2025**;
 - b. Expert Disclosure Deadline: **February 13, 2025**;
 - c. Supplemental Expert Disclosure Deadline: **March 11, 2025**;
 - d. Expert Discovery Deadline: **April 8, 2025**;
 - e. Dispositive Motion Deadline: **June 24, 2025**;
2. The Court shall set the following dates for the pretrial conference and trial:
 - a. Pretrial Conference: **October 20, 2025**, at **1:30 p.m.**, in **Courtroom 6**;
and
 - b. Trial: **December 16, 2025**, at **9:00 a.m.**, in **Courtroom 6**.

IT IS SO ORDERED.

Dated: **March 21, 2024**


UNITED STATES MAGISTRATE JUDGE